

ORDER PURSUANT TO THE DECLARATION OF DISASTER AND EMERGENCY

BOROUGH OF BEACH HAVEN EO-2020-2

TO ALL RESIDENTS AND PERSONS WITHIN THE MUNICIPALITY OF THE BOROUGH OF BEACH HAVEN IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY AND TO ALL DEPARTMENTS OF THE MUNICIPAL GOVERNMENT OF THE BOROUGH OF BEACH HAVEN

WHEREAS, pursuant to the powers vested by Chapter 251 of the laws of 1942, as amended and supplemented, N.J.S.A. App. A: 9-30, *et seq.*; N.J.S.A. 40:48-1, *et seq.*; and all applicable statutory law and regulations, as well as the Chapter 154 of the Borough Code, the Borough of Beach Haven (“Borough”) declared on March 24, 2020, that a local disaster/emergency exists within by and through the required authorization of the Director of Public Safety and the Emergency Management Coordinator; and

WHEREAS, the aforesaid laws and declaration of emergency authorize the promulgation of such orders, rules, and regulations as are necessary to meet the various problems which have or may occur due to such an emergency; and

WHEREAS, on March 30, 2020, Emergency Order EO-2020-1 was entered and remains in effect; and

WHEREAS, it has become evident that a substantial influx of non-residents in and visitors to the Borough have and are using its beaches and failing to comply with Executive Order 107 and CDC and Federal Guidelines; and

WHEREAS, to date, the State of New Jersey and New York Metropolitan areas have experienced the most significant impact of the COVID-19 pandemic and continued efforts to halt the spread of the virus and to flatten the curve are required to protect the public health, welfare, and safety; and

WHEREAS, Executive Order 107 orders the public to remain in home isolation, except for certain limited exceptions and the State has repeatedly expressed that all State residents should remain at their primary residences and not travel to the Jersey Shore in light of the region's limited healthcare and other infrastructure to protect the public during this pandemic; and

WHEREAS, in order to protect the public health, welfare, and safety during this grave pandemic and aid in the enforcement of Executive Order 107, the beaches located in the Borough are hereby immediately closed, except as otherwise provided herein; and

WHEREAS, the Chiefs of Police and OEM Coordinators from Beach Haven, Long Beach Township and Ship Bottom have jointly and unanimously determined that all beaches in each respective municipality must close; and

WHEREAS, the Borough issued property owners and residents "disaster re-entry" passes/placards ("Placard" or "Placards"), which set forth the designated areas of the Borough in which the person issued the Placard is permitted; and

WHEREAS, pursuant to the terms herein, the Borough shall permit the property owners and residents to access the beach with the Placards issued to them.

NOW, THEREFORE, in accordance with the aforesaid laws and recitals, which are incorporated herein by reference, it is on this 6th day of April, 2020, **DECLARED AND ORDERED** that until further Order of the Borough or until the restrictions set forth in the Executive Order 107 are rescinded, whichever is earlier, the following emergency restrictions and regulations are effective immediately:

1. Effective April 7, 2020, and except as provided herein, all beaches located in the Township are closed to all persons and for any and all activities.

2. Property owners and residents who were issued a Placard may access and use the beaches on foot only and shall not engage in any sporting activities or beach-related activities, including, but not limited to, surfing, fishing, swimming, any water sports, any land-based sports, the use of any beach chairs, beach blankets, or towels, or the congregating of any kind outside the scope of the requirements of Executive Order 107. Beach access and use are expressly limited to walking and jogging alone. Consistent with Executive Order 107, Placards may only be used by the owners and their immediate family members, caretakers, household members, or romantic partners to walk and/or jog upon the beach and only two (2) adults and their minor children may use the Placard at any one time. Those persons may also access the beach with their dog(s), provided that all applicable Borough regulations relating to dogs on the beach shall continue to apply, including the requirement that dogs remain leashed at all times. All social distancing guidelines shall apply and the Placards shall be worn and/or prominently displayed by the persons at all times. Access to the beach shall be limited to the designated beach area of the Borough set forth by the Placard.

3. All persons shall hold up and display their Placards to Borough police officers and other personnel.

4. Each separate access and use of the beach by each person shall be considered a separate violation and persons shall be subject to potential multiple violations during the course of each day. The Emergency Management Coordinator, Borough Police Department and the Borough Beach Patrol shall be charged with the enforcement of the terms of this Order.

5. Penalties for violations of this Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50, and the Borough Code.

William Tromm
Emergency Management Coordinator

Nancy T. Davis
Mayor